

Exhibit H

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

GARY BRICE MCBAY,
Plaintiff,

VERSUS CIVIL ACTION NO: 1:07CV1205-LG-RHW

HARRISON COUNTY, MISSISSIPPI,
BY AND THROUGH ITS BOARD OF
SUPERVISORS; HARRISON COUNTY
SHERIFF GEORGE PAYNE; WAYNE
PAYNE; DIANE GASTON RILEY;
STEVE CAMPBELL; RICK GASTON;
RYAN TEEL; MORGAN THOMPSON;
JOHN DOES 1 - 4; AMERICAN
CORRECTIONAL ASSOCIATION;
JAMES A. GONDLES, JR.; UNKNOWN
DEFENDANTS 1 - 3 EMPLOYEES OF
AMERICAN CORRECTIONAL
ASSOCIATION; HEALTH ASSURANCE,
LLC, AND UNKNOWN DEFENDANTS 1
- 2 EMPLOYEES OF AMERICAN
CORRECTIONAL ASSOCIATION,
Defendants.

DEPOSITION OF THOMAS RANDAZZO

Taken at the offices of Dukes, Dukes,
Keating & Faneca, 2909 13th Street,
Sixth Floor, Gulfport, Mississippi, on
Thursday, July 9, 2009, beginning at
9:32 a.m.

COPY

1 A. Yes, sir.

2 Q. And then you sat on him?

3 A. Once I sat on him, he was done.

4 Q. And when you sat on him, you had
5 motioned with your hand earlier that you were
6 holding his hands behind his back?

7 A. Yes, sir.

8 Q. Were you holding his hand with one hand
9 or two hands?

10 A. I had his wrists crossed. He had small
11 enough wrists to where I could actually lock them
12 in with one hand.

13 Q. So you had him locked down with one hand
14 on the ground?

15 A. Yes, sir.

16 Q. And he couldn't get out of it?

17 A. No, sir.

18 Q. So it wasn't necessary for you to keep
19 hitting him to keep him under control?

20 A. No, sir.

21 Q. Did you hit him in the body in any way?

22 A. I just hit him the one time.

23 Q. In the face?

24 A. Yes.

25 Q. But you didn't hit him with any body